

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF INDIANA
HAMMOND DIVISION**

BETH HOLLINS, on behalf of Plaintiff and a class,)
)
Plaintiff,)
)
vs.)
)
CHURCH CHURCH HITTLE + ANTRIM, a partnership; and ELIZABETH LUCAS BARNES;)
)
Defendants.)

COMPLAINT – CLASS ACTION

INTRODUCTION

1. Plaintiff Beth Hollins brings this action to secure redress from unlawful credit and collection practices engaged in by Defendant Church Church Hittle + Antrim. Plaintiff alleges violation of the Fair Debt Collection Practices Act, 15 U.S.C. §1692 et seq. (“FDCPA”). Also named as a Defendant is Elizabeth Lucas Barnes, a partner of Church Church Hittle + Antrim in its Merrillville office.

2. The FDCPA broadly prohibits unfair or unconscionable collection methods, conduct which harasses or abuses any debtor, and the use of any false or deceptive statements in connection with debt collection attempts. It also requires debt collectors to give debtors certain information. 15 U.S.C. §§1692d, 1692e, 1692f and 1692g.

3. In enacting the FDCPA, Congress found that: “[t]here is abundant evidence of the use of abusive, deceptive, and unfair debt collection practices by many debt collectors. Abusive debt collection practices contribute to the number of personal bankruptcies, to marital instability, to the loss of jobs, and to invasions of individual privacy.” 15 U.S.C. §1692(a).

4. Because of this, courts have held that “the FDCPA's legislative intent emphasizes

the need to construe the statute broadly, so that we may protect consumers against debt collectors' harassing conduct.” and that “[t]his intent cannot be underestimated.” *Ramirez v. Apex Financial Management LLC*, 567 F.Supp.2d 1035, 1042 (N.D.Ill. 2008).

5. The FDCPA encourages consumers to act as "private attorneys general" to enforce the public policies and protect the civil rights expressed therein. *Crabill v. Trans Union, LLC*, 259 F.3d 662, 666 (7th Cir. 2001).

6. Plaintiff seeks to enforce those policies and civil rights which are expressed through the FDCPA, 15 U.S.C. §1692 *et seq.*

7. Plaintiff was intimidated, misled and confused by the conduct complained of herein, spent time and money dealing with such conduct, and consulted counsel as a result.

VENUE AND JURISDICTION

8. This Court has jurisdiction under 15 U.S.C. §1692k (FDCPA), 28 U.S.C. §1331 and 28 U.S.C. §1337.

9. Venue and personal jurisdiction in this District are proper because:

- a. Defendants' collection communications were received by Plaintiff within this District;
- b. Defendants do or transact business within this District and have an office here.

PARTIES

10. Plaintiff Beth Hollins is an individual who resides in Merrillville, Indiana.

11. Defendant Church Church Hittle + Antrim is a law firm organized as a partnership. It has offices at 10765 Lantern Road, Suite 201, Fishers, IN 46038; Lincoln Tower, Suite 518, 116 East Berry Street, Fort Wayne, IN 46802; 8585 Broadway, Suite 770, Merrillville, IN 46410; Two North Ninth Street, Noblesville, IN 46060; 118 South Independence Street, Tipton, IN 46072; and 116 North Union Street, Westfield, IN 46074.

12. Church Church Hittle + Antrim is engaged in the business of using the mails and

telephone to collect consumer debts owed to others.

13. The stated practice areas of Church Church Hittle + Antrim include “Creditors’ Rights.” “The Creditors’ Rights practice at CCHA works to obtain the best legal solutions for our clients consistent with their financial and litigation goals. We offer a variety of legal options ranging from structuring voluntary workout resolutions to seeking legal recourse in applicable state and federal courts throughout Indiana. [¶] Collection and Litigation [¶] We regularly assist our business and individual clients in pursuing remedies against borrowers, guarantors and other third-parties. We also represent lenders and financial institutions in collection, replevin, and foreclosure matters, prosecuting the client’s rights and defending such actions when necessary. Whether through a direct suit on notes, contracts, guaranties or a deficiency claim subsequent to a foreclosure, we represent clients in state and federal courts to collect amounts owed. We also counsel and represent clients in obtaining court-appointed receivers to manage the collateral and investigate and pursue fraudulent transfer actions against obligors.”

(<https://www.cchalaw.com/our-practices/creditors-rights>)

14. Church Church Hittle + Antrim is a debt collector as defined in the FDCPA.

15. Many of the consumer debts it seeks to collect are health care debts.

16. Defendant Elizabeth Lucas Barnes is held out as a partner of Church Church Hittle + Antrim. (<https://www.cchalaw.com/our-people>)

FACTS

17. Defendant Church Church Hittle + Antrim has been attempting to collect from Plaintiff an alleged \$81.52 medical debt incurred, if at all, for personal, family or household purposes, for the care of a minor child.

18. The alleged creditor is Aberdeen Ventures d/b/a Immediate Care Center.

19. According to Odyssey, Aberdeen Ventures or Immediate Care Center have never filed suit against a patient to collect a bill, much less one as small as \$81.52.

20. On or about August 19, 2019, Defendant Church Church Hittle + Antrim sent

Plaintiff the letter attached as Exhibit A under the signature of Defendant Barnes.

21. On or about August 19, 2019, Defendant Church Church Hittle + Antrim sent Plaintiff the letter attached as Exhibit B under the signature of Defendant Barnes.

22. Exhibit A is the first letter Plaintiff received from Defendant Church Church Hittle + Antrim regarding the debt described therein.

23. Exhibit B is the first letter Plaintiff received from Defendant Church Church Hittle + Antrim regarding the debt described therein.

24. On information and belief, Exhibits A and B are form letters regularly used by Defendant Church Church Hittle + Antrim as an initial demand.

25. On information and belief, Exhibits A and B are filled in with information about the particular debt and consumer.

26. On information and belief, based on its contents, Exhibit A was the first letter Defendant Church Church Hittle + Antrim sent to Plaintiff regarding the debt described therein.

27. On information and belief, based on its contents, Exhibit B was the first letter Defendant Church Church Hittle + Antrim sent to Plaintiff regarding the debt described therein.

28. Exhibits A and B repeatedly state, threaten or imply that litigation may be instituted:

- a. “[W]e may . . . take legal action against you for the collection of the above amount, plus attorney fees where authorized by contract or statute and granted by court approval, court costs, and additional accrued interest after the date of this letter as allowed by law or your contract.”
- b. “[W]e may file suit against you.”
- c. “Aberdeen Ventures does not wish to file suit against you. However, if you do not pay or make payment arrangements, we will proceed as necessary.”

29. No litigation was in fact intended.

30. No litigation was filed.

COUNT I – FDCPA

31. Plaintiff incorporates paragraphs 1-30.

32. Defendants violated 15 U.S.C. §§1692e, 1692e(2), 1692e(5) and 1692e(10), by threatening or implying a lawsuit would be filed without the intention to file suit.

33. Section 1692e provides:

§ 1692e. False or misleading representations

A debt collector may not use any false, deceptive, or misleading representation or means in connection with the collection of any debt. Without limiting the general application of the foregoing, the following conduct is a violation of this section: . . .

(2) The false representation of—

(A) the character, amount, or legal status of any debt; . . .

(5) The threat to take any action . . . that is not intended to be taken. . . .

(10) The use of any false representation or deceptive means to collect or attempt to collect any debt or to obtain information concerning a consumer. . . .

CLASS ALLEGATIONS

34. Plaintiff brings this claim on behalf of a class, pursuant to Fed.R.Civ.P. 23(a) and 23(b)(3).

35. The class consists of all individuals:

- a. To whom Defendant Church Church Hittle + Antrim sent a letter;
- b. Seeking to collect a medical or health care debt;
- c. Stating (i) “[W]e may . . . take legal action against you” for the collection of the above amount,” or (ii) “[W]e may file suit against you” or (iii) “[client] does not wish to file suit against you. However, if you do not pay or make payment arrangements, we will proceed as necessary”;
- d. On behalf of (i) Aberdeen Ventures d/b/a Immediate Care Center or (ii) any other entity that had not authorized the filing of suit;
- e. Which letter was sent at any time during a period beginning one year prior

to the filing of this action and ending 21 days after the filing of this action.

36. Plaintiff may alter the class definitions to conform to developments in the case and discovery.

37. On information and belief, the class is so numerous that joinder of all members is not practicable.

38. There are questions of law and fact common to the class members, which common questions predominate over any questions relating to individual class members. The predominant common questions are:

- a. Whether Defendants threaten or imply legal action without the intent to take such action.
- b. Whether such practice violates the FDCPA.

39. Plaintiff's claim is typical of the claims of the class members. All are based on the same factual and legal theories.

40. Plaintiff will fairly and adequately represent the class members. Plaintiff has retained counsel experienced in class actions and FDCPA litigation.

41. A class action is superior for the fair and efficient adjudication of this matter, in that:

- a. Individual actions are not economically feasible.
- b. Members of the class are likely to be unaware of their rights;
- c. Congress intended class actions to be the principal enforcement mechanism under the FDCPA.

WHEREFORE, the Court should enter judgment in favor of Plaintiff and the class and against Defendants for:

- i. Statutory damages;
- ii. Attorney's fees, litigation expenses and costs of suit;
- iii. Such other and further relief as the Court deems proper.

/s/ Daniel A. Edelman
Daniel A. Edelman

Daniel A. Edelman
Cathleen M. Combs
Heather A. Kolbus
Bryan G. Lesser
EDELMAN, COMBS, LATTURNER & GOODWIN, LLC
20 South Clark Street, Suite 1500
Chicago, IL 60603-1824
(312) 739-4200
(312) 419-0379 (FAX)
Email address for service: courtecl@edcombs.com

T:\36925\Pleading\Revised Complaint_Pleading.wpd

NOTICE OF ASSIGNMENT

Please be advised that all rights relating to attorney's fees have been assigned to counsel.

/s/ Daniel A. Edelman
Daniel A. Edelman

DOCUMENT PRESERVATION DEMAND

Plaintiff hereby demands that defendants take affirmative steps to preserve all recordings, data, documents, and all other tangible things that relate to plaintiff, the events described herein, any third party associated with any telephone call, campaign, account, sale or file associated with plaintiff, and any account or number or symbol relating to them. These materials are likely very relevant to the litigation of this claim. If defendants are aware of any third party that has possession, custody, or control of any such materials, plaintiff demands that defendants request that such third party also take steps to preserve the materials. This demand shall not narrow the scope of any independent document preservation duties of the defendants.

/s/ Daniel A. Edelman
Daniel A. Edelman

EXHIBIT A

church church hittle + antrim

ATTORNEYS AT LAW

August 19, 2019

Via U.S. Mail

BETH HOLLINS
[REDACTED]

RE: Creditor: Aberdeen Ventures d/b/a Immediate Care Center
Principal Amount of Debt: **\$81.52**, plus fees and accruing interest
Patient Name: M [REDACTED] H [REDACTED] Date of Service: 7/20/2018

To whom it may concern:

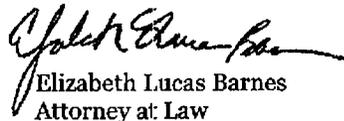
This is to notify you that this law firm has been retained to collect the overdue balance on your account with our client above, plus attorney fees and interest as allowed by law or your contract. Unless acceptable arrangements are made OR YOU REQUEST VERIFICATION OF THIS DEBT PURSUANT TO THE NOTICE BELOW WITHIN THIRTY (30) DAYS OF RECEIPT OF THIS LETTER, we may assume the debt to be valid and take legal action against you for the collection of the above amount, plus attorney fees where authorized by contract or statute and granted by court approval, court costs, and additional accrued interest after the date of this letter as allowed by law or your contract. If you notify us in writing within thirty (30) days after receipt of this notice that you dispute this debt, or any portion of it, we will obtain verification of the debt or a copy of any judgment against you representing the debt and mail a copy to you.

Please make your check or money order payable to "Church Church Hittle + Antrim." Payment may be mailed directly to Church Church Hittle + Antrim, 8585 Broadway, Suite 770, Merrillville, IN 46410. IF YOU NOTIFY US THAT YOU DISPUTE THIS DEBT WITHIN THIRTY (30) DAYS OF RECEIPT, WE WILL PEND FURTHER COLLECTION EFFORTS UNTIL WE SEND YOU VERIFICATION.

Unless you send payment in full as indicated above or make appropriate arrangements to pay this debt in a timely fashion within thirty (30) days of your receipt of this letter, we may file suit against you. If you wish to make payment arrangements, please contact me to discuss this possibility in more detail. Due to interest, late charges, and other charges that may vary from day to day, the amount due on the day you pay may be greater. Hence, if you pay the amount shown above, an adjustment may be necessary after we receive your check, in which event we will inform you before depositing the check for collection.

Aberdeen Ventures does not wish to file suit against you. However, if you do not pay or make payment arrangements, we will proceed as necessary.

Sincerely,


Elizabeth Lucas Barnes
Attorney at Law

Please see below for a verification notice concerning your rights under the Fair Debt Collection Practices Act.
Please take notice that the debt mentioned above will be assumed valid unless you dispute the validity of this debt or any portion of the debt. In order to dispute this debt, notice should be given to us within thirty (30) days from receipt of this notice advising us that this debt is disputed. If notice of dispute is given, we will obtain verification of this debt from our client and a copy of such or judgment will be mailed to you. If you dispute this debt, we will also provide the name and address of the original creditor if the creditor is different from the current creditor.

**THIS IS AN ATTEMPT TO COLLECT A DEBT BY A DEBT COLLECTOR.
ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.**

cch+a

8585 Broadway, Suite 770, Merrillville, IN 46410 P 219.525.4466 F 219.472.8459
NOBLESVILLE ; FISHERS ; TIPTON ; MERRILLVILLE ; ZIONSVILLE ; CCHALAW.COM
A Partnership of Professional Corporations

EXHIBIT B

church church hittle + antrim
ATTORNEYS AT LAW

August 19, 2019

Via U.S. Mail

BETH HOLLINS
[REDACTED]

RE: Creditor: Aberdeen Ventures d/b/a Immediate Care Center
Principal Amount of Debt: **\$84.57**, plus fees and accruing interest
Patient Name: M [REDACTED] H [REDACTED] Date of Service: 1/17/2018

To whom it may concern:

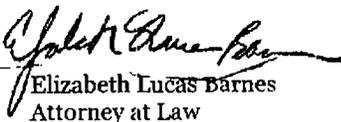
This is to notify you that this law firm has been retained to collect the overdue balance on your account with our client above, plus attorney fees and interest as allowed by law or your contract. Unless acceptable arrangements are made OR YOU REQUEST VERIFICATION OF THIS DEBT PURSUANT TO THE NOTICE BELOW WITHIN THIRTY (30) DAYS OF RECEIPT OF THIS LETTER, we may assume the debt to be valid and take legal action against you for the collection of the above amount, plus attorney fees where authorized by contract or statute and granted by court approval, court costs, and additional accrued interest after the date of this letter as allowed by law or your contract. If you notify us in writing within thirty (30) days after receipt of this notice that you dispute this debt, or any portion of it, we will obtain verification of the debt or a copy of any judgment against you representing the debt and mail a copy to you.

Please make your check or money order payable to "Church Church Hittle + Antrim." Payment may be mailed directly to Church Church Hittle + Antrim, 8585 Broadway, Suite 770, Merrillville, IN 46410. IF YOU NOTIFY US THAT YOU DISPUTE THIS DEBT WITHIN THIRTY (30) DAYS OF RECEIPT, WE WILL PEND FURTHER COLLECTION EFFORTS UNTIL WE SEND YOU VERIFICATION.

Unless you send payment in full as indicated above or make appropriate arrangements to pay this debt in a timely fashion within thirty (30) days of your receipt of this letter, we may file suit against you. If you wish to make payment arrangements, please contact me to discuss this possibility in more detail. Due to interest, late charges, and other charges that may vary from day to day, the amount due on the day you pay maybe greater. Hence, if you pay the amount shown above, an adjustment may be necessary after we receive your check, in which event we will inform you before depositing the check for collection.

Aberdeen Ventures does not wish to file suit against you. However, if you do not pay or make payment arrangements, we will proceed as necessary.

Sincerely,


Elizabeth Lucas Barnes
Attorney at Law

Please see below for a verification notice concerning your rights under the Fair Debt Collection Practices Act.
Please take notice that the debt mentioned above will be assumed valid unless you dispute the validity of this debt or any portion of the debt. In order to dispute this debt, notice should be given to us within thirty (30) days from receipt of this notice advising us that this debt is disputed. If notice of dispute is given, we will obtain verification of this debt from our client and a copy of such or judgment will be mailed to you. If you dispute this debt, we will also provide the name and address of the original creditor if the creditor is different from the current creditor.

**THIS IS AN ATTEMPT TO COLLECT A DEBT BY A DEBT COLLECTOR.
ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.**

cch+a

8585 Broadway, Suite 770, Merrillville, IN 46410 P 219.525.4465 F 219.472.8459
NOBLESVILLE ; FISHERS ; TIPPON ; MERRILLVILLE ; ZIONSVILLE ; CCHALAW.COM
A Partnership of Professional Corporations

CIVIL COVER SHEET

USDC IN/ND case 2:20-cv-00304-TLS-APR document 1-3 filed 08/18/20 page 1 of 2

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

BETH HOLLINS

(b) County of Residence of First Listed Plaintiff (EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number) Edelman, Combs, Latturmer & Goodwin, LLC 20 South Clark Street, Suite 1500 Chicago, IL 60603 (312) 739-4200 (312) 419-0379 (FAX)

DEFENDANTS

CHURCH CHURCH HITTLE + ANTRIM, a partnership; and ELIZABETH LUCAS BARNES

County of Residence of First Listed Defendant (IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- 1 U.S. Government Plaintiff, 2 U.S. Government Defendant, 3 Federal Question (U.S. Government Not a Party), 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- Citizen of This State, Citizen of Another State, Citizen or Subject of a Foreign Country, PTF DEF, Incorporated or Principal Place of Business In This State, Incorporated and Principal Place of Business In Another State, Foreign Nation

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Table with 5 columns: CONTRACT, REAL PROPERTY, TORTS, CIVIL RIGHTS, PRISONER PETITIONS, FORFEITURE/PENALTY, LABOR, IMMIGRATION, BANKRUPTCY, SOCIAL SECURITY, FEDERAL TAX SUITS, OTHER STATUTES. Includes various legal categories like Insurance, Personal Injury, Real Estate, etc.

V. ORIGIN (Place an "X" in One Box Only)

- 1 Original Proceeding, 2 Removed from State Court, 3 Remanded from Appellate Court, 4 Reinstated or Reopened, 5 Transferred from Another District, 6 Multidistrict Litigation - Transfer, 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity): 15 U.S.C. § 1692 et seq.

Brief description of cause: Claims under Fair Debt Collection Practices Act (FDCPA)

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P. DEMAND \$ CHECK YES only if demanded in complaint: JURY DEMAND: Yes No

VIII. RELATED CASE(S) IF ANY

(See instructions): JUDGE DOCKET NUMBER

DATE 08/18/2020 SIGNATURE OF ATTORNEY OF RECORD /s/Daniel A. Edelman

FOR OFFICE USE ONLY

RECEIPT # AMOUNT APPLYING IFP JUDGE MAG. JUDGE

USDC IN/ND case 2:20-cv-00304-TLS-APR document 1-3 filed 08/18/20 page 2 of 2
INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44

Authority For Civil Cover Sheet

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

- I.(a) Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.
- (b) County of Residence.** For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)
- (c) Attorneys.** Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".
- II. Jurisdiction.** The basis of jurisdiction is set forth under Rule 8(a), F.R.Cv.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.
 United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here.
 United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.
 Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.
 Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; **NOTE: federal question actions take precedence over diversity cases.**)
- III. Residence (citizenship) of Principal Parties.** This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.
- IV. Nature of Suit.** Place an "X" in the appropriate box. If the nature of suit cannot be determined, be sure the cause of action, in Section VI below, is sufficient to enable the deputy clerk or the statistical clerk(s) in the Administrative Office to determine the nature of suit. If the cause fits more than one nature of suit, select the most definitive.
- V. Origin.** Place an "X" in one of the seven boxes.
 Original Proceedings. (1) Cases which originate in the United States district courts.
 Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441. When the petition for removal is granted, check this box.
 Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.
 Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.
 Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.
 Multidistrict Litigation – Transfer. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407.
 Multidistrict Litigation – Direct File. (8) Check this box when a multidistrict case is filed in the same district as the Master MDL docket.
PLEASE NOTE THAT THERE IS NOT AN ORIGIN CODE 7. Origin Code 7 was used for historical records and is no longer relevant due to changes in statute.
- VI. Cause of Action.** Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553 Brief Description: Unauthorized reception of cable service
- VII. Requested in Complaint.** Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.
 Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction.
 Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.
- VIII. Related Cases.** This section of the JS 44 is used to reference related pending cases, if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

Date and Attorney Signature. Date and sign the civil cover sheet.

UNITED STATES DISTRICT COURT

for the

Northern District of Indiana

BETH HOLLINS

Plaintiff(s)

v.

CHURCH CHURCH HITTLE+ ANTRIM, a partnership; and ELIZABETH LUCAS BARNES

Defendant(s)

Civil Action No. 2:20 cv 00304

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) ELIZABETH BARNES
8585 BROADWAY, SUITE 770
MERRILLVILLE, INDIANA 46410

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date:

Signature of Clerk or Deputy Clerk

Civil Action No. 2:20 cv 00304

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____
was received by me on *(date)* _____ .

I personally served the summons on the individual at *(place)* _____
_____ on *(date)* _____ ; or

I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____, a person of suitable age and discretion who resides there,
on *(date)* _____ , and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* _____ , who is
designated by law to accept service of process on behalf of *(name of organization)* _____
_____ on *(date)* _____ ; or

I returned the summons unexecuted because _____ ; or

Other *(specify)*:

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____ 0.00 .

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

UNITED STATES DISTRICT COURT

for the

Northern District of Indiana

BETH HOLLINS

Plaintiff(s)

v.

CHURCH CHURCH HITTLE+ ANTRIM, a partnership; and ELIZABETH LUCAS BARNES

Defendant(s)

Civil Action No. 2:20 cv 00304

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) CHURCH CHURCH HITTLE + ANTRIM 10765 LANTERN ROAD, SUITE 201 FISHERS, INDIANA 46038

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: _____

Signature of Clerk or Deputy Clerk

Civil Action No. 2:20 cv 00304

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____
was received by me on *(date)* _____ .

I personally served the summons on the individual at *(place)* _____
_____ on *(date)* _____ ; or

I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____, a person of suitable age and discretion who resides there,
on *(date)* _____ , and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* _____ , who is
designated by law to accept service of process on behalf of *(name of organization)* _____
_____ on *(date)* _____ ; or

I returned the summons unexecuted because _____ ; or

Other *(specify)*:

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____ 0.00 _____ .

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc: